

IN THE SUPREME COURT OF FLORIDA

INQUIRY CONCERNING A
JUDGE, NO. 02-487

SC03-1171

COMMISSION'S RESPONSE TO
RESPONDENT'S SECOND REQUEST FOR PRODUCTION

The Judicial Qualifications Commission (the "Commission") hereby responds to the Respondent's Second Request for Production as follows:

GENERAL OBJECTION

The Commission objects to Respondent's Second Request for Production to the extent that the instructions and definitions impose obligations beyond those required by the Florida Rules of Civil Procedure.

RESPONSES

1. The Commission will produce all documents sent on behalf of the Commission to any member of the United States Air Force relating to this case.

2. The Commission will produce all documents received by the Commission from any member of the United States Air Force relating to this case.

3. The Commission will produce all documents sent on behalf of the Commission to any member or employee of the Department of Justice relating to this case.

4. The Commission will produce all documents received by the Commission from any member or employee of the Department of Justice relating to this case.

5. All documents which the Commission intends to or reasonably expects it may introduce at the final evidentiary have previously been produced.

6. The documents which have been provided to or considered experts which the Commission or reasonably expect may call have previously been produced or were marked as Exhibits at depositions by the Respondent.

7. All documents identified in response to Respondent's Expert and Witness Interrogatories served on or about May 12, 2004, have previously been produced or are being produced in response to the interrogatories.

8. The Commission objects to Request No. 8 on the ground that it is vague and overly broad and request documents that are protected by the attorney-client and the attorney work product privilege.

INVESTIGATIVE PANEL OF THE FLORIDA
JUDICIAL QUALIFICATIONS COMMISSION

Thomas C. MacDonald, Jr.
Florida Bar No. 049318
1904 Holly Lane
Tampa, Florida 33629
(813) 254-9871
(813) 258-6265 (Facsimile)

General Counsel for the Florida
Judicial Qualifications Commission

- and -

BEDELL, DITTMAR, DeVAULT, PILLANS & COXE
Professional Association

By _____
Charles P. Pillans, III
Florida Bar No. 0100066
The Bedell Building
101 East Adams Street
Jacksonville, Florida 32202
(904) 353-0211
(904) 353-9307 (Facsimile)

Special Counsel to the Florida
Judicial Qualifications Commission

CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY that a copy of the foregoing has been furnished to each of the following by United States mail this _____ day of June, 2004.

David B. Weinstein, Esquire
Bales Weinstein
Post Office Box 172179
Tampa, FL 33672-0179

Gregory W. Kehoe, Esquire
James, Hoyer, Newcomer & Smiljanich, P.A.
4830 W. Kennedy Boulevard, Suite 550
Tampa, FL 33609

Attorneys for Circuit Judge Gregory P. Holder

Honorable John P. Kuder
Circuit Judge
Judicial Building
190 Governmental Center
Pensacola, FL 32501

John R. Beranek, Esquire
Post Office Box 391
Tallahassee, FL 32302-0391

Attorney